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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/617,065 | 07/13/2000 | Norman Understein | 2802-5 | 7218 |

7590 03/20/2003

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EXAMINER

SHIH, SALLY

| ART UNIT | PAPER NUMBER |
|----------|--------------|
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3624

DATE MAILED: 03/20/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/617,065

Applicant(s)

UNDERSTEIN, NORMAN

Examiner

Sally Shih

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 July 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. This application has been reviewed. Original claims 1-8 are pending. The objections and rejections cited are as stated below:

Title

2. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The following title is suggested:

System and Method for Web-Based Account Management for Transfer of Funds

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-8 are rejected under 35 U.S.C. 102(e) as being anticipated by Yacobi (United States Patent Number 5,872,844).

Claim 1. Yacobi discloses a method of qualifying a participant over a global network in a transaction requiring a transfer of funds from the participant, the method comprising:

(a) establishing a consumer funding account (Fig. 1, column 5, lines 24-29 and column 25, line 47-48);

(b) entering a transaction requiring a transfer of funds (Fig. 1 and column 25, line 47-48);
and

(c) reserving a portion of the consumer funding account according to a transaction parameter (Fig. 1 and column 25, line 47-52).

Claim 2. Yacobi discloses a method according to claim 1, wherein the transaction parameter is a required deposit.

Claim 3. Yacobi discloses a method according to claim 1, wherein the transaction parameter is an amount of funds required to complete the transaction (Fig. 1 and column 25, line 47-48).

Claim 4. Yacobi discloses a method according to claim 1, wherein step (c) is practiced by reserving a first portion of the consumer funding account corresponding to a required deposit and reserving a second portion of the consumer funding account corresponding to an amount of funds required to complete the transaction (Fig. 1 and column 26, lines 6-11).

Claim 5. Yacobi discloses a method according to claim 1, further comprising releasing the reserved portion of the consumer funding account when the transaction is completed (Fig. 1 and column 26, lines 33-36).

Claim 6. Yacobi discloses a method according to claim 1, wherein step (c) is practiced by querying a network website server that maintains the consumer funding account (Abstract, Fig. 1 and column 25, line 47-52).

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Claim 7. Yacobi discloses a computer system for effecting qualifying of a participant over a global network in a transaction requiring a transfer of funds from the participant, the computer system comprising:

at least one user computer running a computer program that requests information according to a transaction inquiry input by the participant (Abstract, Fig. 1 and 3); and a system server running a server program, the at least one user computer and the system server being interconnected by a computer network, the system server determining whether the participant has established a consumer funding account, and if so, reserving a portion of the consumer funding account according to a transaction parameter (Abstract, Fig. 1 and 3).

Claim 8. Yacobi discloses a computer program embodied on a computer-readable medium for qualifying a participant over a global network in a transaction requiring a transfer of funds from the participant, the computer program comprising:

means for establishing a consumer funding account (Fig. 1 and column 25, line 47-48);

means for entering a transaction requiring a transfer of funds (Fig. 1 and column 25, line 47-48);

means for reserving a portion of the consumer funding account according to a transaction parameter (Fig. 1 and column 25, line 47-52).

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Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. USPN 6,098,053, USPN 6,105,007, USPN 6,182,052 B1, USPN 6490568 B1 and JP408007157A are cited of interest.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sally Shih whose telephone number is 703-305-8550. The examiner can normally be reached on Flexible Schedule.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent Millin can be reached on 703-308-1065. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-7687 for regular communications and 703-305-7658 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.

sys
March 13, 2003


HANI M. KAZIMI
PRIMARY EXAMINER